

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

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|-------------------------------|---------------------------|
| DAVID PEIFER, | : |
| Petitioner, | : |
| v. | : Civil Action No. 02-72J |
| SUPERINTENDENT CONNER BLAINE, | : |
| S.C.I. GREENE, | : |
| Respondent | : |

MEMORANDUM ORDER

This matter was referred to Magistrate Judge Keith A. Pesto for a Report and Recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and subsections 3 and 4 of Local Rule 72.1 for Magistrate Judges.

The Magistrate Judge filed a Report and Recommendation on June 6, 2006, docket no. 17, recommending that the petition for a writ of habeas corpus be denied and that a certificate of appealability be denied.

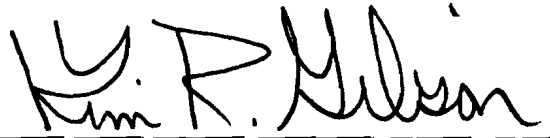
The parties were notified pursuant to 28 U.S.C. § 636(b)(1), that they had ten days to serve and file written objections to the Report and Recommendation. Petitioner filed timely objections, docket no. 18, on June 14, 2006. I have reviewed the objections, but reject them. I also reject the petitioner's motion, included in the objections, to amend the petition and for a stay to allow petitioner to amend the petition.

After de novo review of the record of this matter, the Report and Recommendation, and the timely objections thereto, the following order is entered:

AND NOW, this 30th day of June, 2006, it is

ORDERED that the petitioner's petition for a writ of habeas corpus is denied. A certificate of appealability is denied. The Report and Recommendation is adopted as the opinion of the Court. The Clerk shall mark this matter closed.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Kim R. Gibson". The signature is written in a cursive, flowing style with a horizontal line underneath the name.

KIM R. GIBSON,
UNITED STATES DISTRICT JUDGE

Notice to:

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